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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Drohan *et al.*

Appl. No. 08/479,038

Filed: June 7, 1995

For: **Supplemented and  
Unsupplemented Tissue Sealants,  
Methods of Their Production and  
Use**

Art Unit: 1643

Examiner: Zeman, M.

Atty. Docket: 1327.0440006/JAG/EEF/PSC

#33  
Plunkett  
3/31/02

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TECH CENTER 1600/2900

**Information Disclosure Statement**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Fifth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Fourth Supplemental Information Disclosure Statement filed on August 27, 2001, in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.



Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

This Fifth Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before the payment of the Issue Fee. Attached is our check no. 34587 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Attorney for Applicants  
Registration No. 39,967

Date: 3/22/02  
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\* Admitted only in Maryland  
\* Admitted only in Virginia  
\* Admitted only in Texas

1643  
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MAR 16 2002

March 22, 2002

**WRITER'S DIRECT NUMBER:**  
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Commissioner for Patents  
Washington, D.C. 20231

**Group Art Unit 1643**

Re: U.S. Utility Patent Application  
Appl. No. 08/479,038; Filed: June 7, 1995  
For: **Supplemented and Unsupplemented Tissue Sealants,  
Methods of Their Production and Use**  
Inventors: Drohan *et al.*  
Our Ref: 1327.0440006/JAG/EEF/PSC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Fifth Supplemental Information Disclosure Statement;
3. Form PTO-1449 (2 sheets citing 5 documents);
4. 5 documents cited in Form PTO-1449 attached;
5. Our check no. 34587 in the amount of \$180.00 for:  
\$180.00 Late Filing of Information Disclosure Statement; and
6. One (1) return postcard.

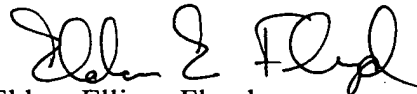
Commissioner for Patents  
March 22, 2002  
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,


STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



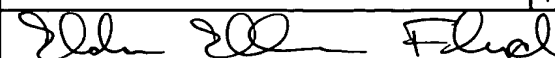
Eldora Ellison Floyd  
Attorney for Applicants  
Registration No. 39,967

EEF/PSC/lam  
Enclosures

P:\USERS\PCoi\1327\0440006\pto\5thidsptotm

<div><b>FEE TRANSMITTAL</b> <b>for FY 2002</b> <i>Patent fees are subject to annual revision.</i></div>		<b>Complete if Known</b>	
		Application Number	08/479,038
		Filing Date	June 7, 1995
		First Named Inventor	William N. Drohan
		Examiner Name	Zeman, M.
		Group Art Unit	1643
TOTAL AMOUNT OF PAYMENT (\$) <b>180.00</b>		Attorney Docket No.	1327.0440006/JAG/EEF/PSC

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)					
<b>1.</b> <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:  Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.  <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17  <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> Large Entity Small Entity					
<b>2.</b> <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other* <small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small>		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
<b>FEE CALCULATION</b>		105	130	205	65	Surcharge - late filing fee or oath	
<b>I. BASIC FILING FEE</b>		127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid		
101	740	201	370	Utility filing fee			
106	330	206	165	Design filing fee			
107	510	207	255	Plant filing fee			
108	740	208	370	Reissue filing fee			
114	160	214	80	Provisional filing fee			
<b>SUBTOTAL (1) (\$)</b> 0.00							
<b>2. EXTRA CLAIM FEES</b>							
Total Claims _____ - 20** = _____ X _____ = _____							
Indep. Claims _____ - 3** = _____ X _____ = _____							
Multiple Dependent _____ = _____							
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid		
103	18	203	9	Claims in excess of 20			
102	84	202	42	Independent claims in excess of 3			
104	280	204	140	Multiple dependent claim			
108	84	209	42	**Reissue independent claims over original patent			
110	18	210	9	**Reissue claims in excess of 20 and over original patent			
<b>SUBTOTAL (2) (\$)</b> 0.00							
		139	130	139	130	Non-English specification	
		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
		112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
		115	110	215	55	Extension for reply within first month	
		116	400	216	200	Extension for reply within second month	
		117	920	217	460	Extension for reply within third month	
		118	1,440	218	720	Extension for reply within fourth month	
		128	1,960	228	980	Extension for reply within fifth month	
		119	320	219	160	Notice of Appeal	
		120	320	220	160	Filing a brief in support of an appeal	
		121	280	221	140	Request for oral hearing	
		138	1,510	138	1,510	Petition to institute a public use proceeding	
		140	110	240	55	Petition to revive - unavoidable	
		141	1,280	241	640	Petition to revive - unintentional	
		142	1,280	242	640	Utility issue fee (or reissue)	
		143	460	243	230	Design issue fee	
		144	620	244	310	Plant issue fee	
		122	130	122	130	Petitions to the Commissioner	
		123	130	123	130	Petitions related to provisional applications	
		126	180	126	180	Submission of Information Disclosure Stmt	180.00
		581	40	481	40	Recording each patent assignment per property (times number of properties)	
		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
		179	740	279	370	Request for Continued Examination (RCE)	
		169	900	169	900	Request for expedited examination of a design application	
		Other fee (specify) :					
		Other fee (specify) :					
		*Reduced by Basic Filing Fee Paid					
		<b>SUBTOTAL (3) (\$)</b> 180.00					

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>			
Name (Print/Type)	Eldora Ellison Floyd	Registration No. (Attorney/Agent)	39,967	Telephone	202-371-2600
Signature		Date	3/22/02		

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$180.00)

**Complete if Known**

Application Number	08/479,038
Filing Date	June 7, 1995
First Named Inventor	William N. Drohan
Examiner Name	Zeman, M.
Group Art Unit	1643
Attorney Docket No.	1327.0440006/JAG/EEF/CMB

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number

19-0036

Deposit Account Name

Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****I. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

**2. EXTRA CLAIM FEES**

	Extra	Fee from below	Fee Paid
Total Claims _____ - 20** = _____	X		
Indep. Claims _____ - 3** = _____	X		
Multiple Dependent _____			

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
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115	110	215	55	Extension for reply within first month
116	390	216	195	Extension for reply within second month
117	890	217	445	Extension for reply within third month
118	1,390	218	695	Extension for reply within fourth month
128	1,890	228	945	Extension for reply within fifth month
119	310	219	155	Notice of Appeal
120	310	220	155	Filing a brief in support of an appeal
121	270	221	135	Request for oral hearing
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140	110	240	55	Petition to revive - unavoidable
141	1,240	241	620	Petition to revive - unintentional
142	1,240	242	620	Utility issue fee (or reissue)
143	440	243	220	Design issue fee
144	600	244	300	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	130	123	130	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
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149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))
179	710	279	355	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

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Telephone

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Signature

Eldora E. Floyd

Date

8/27/01

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